

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JARREN GENDREAU :
 :
vs. : Case No:1:14-cv-00337
 :
TOWN OF BRISTOL and :
JOSUE D. CANARIO, :
In his capacity as Chief :
of Police of :
the Bristol Police Department :

**Motion to Enlarge Time within Which to File Plaintiff's Motion
for Summary Judgment**

Now Comes Plaintiff, Jarren Gendreau, and respectfully moves this Honorable Court, to enlarge the time set out in the Court's order of February 4, 2015 for the filing of Plaintiff's Motion for Summary Judgment, and all subsequent responsive dates by seven (7) days from May 25, 2015 to June 1, 2015. In support thereof, Plaintiff states the following:

- The constitutional claims asserted by Plaintiff are issues of first impression in this circuit and have required more extensive research than usual claims. Counsel for plaintiff is a solo-practitioner who has had to prepare for seven trials on court appointed matters in the Bristol County Juvenile Court, scheduled during the month of May 2015 including five, in which the Commonwealth of Massachusetts was seeking termination of parental rights. Accordingly, Counsel requires additional time in order to complete the

required memorandum of law in support of his Motion for Summary Judgment.

- On April 22, 2015, the Rhode Island Supreme Court issued its decision in *Gadomski v. Tavares*, No. 2014-72-M.P. (R.I. 2015). A case addressing at the state statutory level many of the same issues raised by this suit. Counsel for the Plaintiff requires the additional time in order to address the impact of *Gadmoski* on Plaintiff's claims.
- Counsel further seeks the additional time in order to conference this case with opposing counsel for the purpose of concluding a stipulated set of facts for use in each party's cross motions for summary judgment, seeking consent to amend in light of *Gadomski*, settlement discussions in light of *Gadomski*, and for possible other purposes.¹
- No party will be prejudiced by the brief extension requested.

Petitioner,
Jarren Ray Gendreau,
By and through his Attorney,

/s/Matthew L. Fabisch

Matthew L. Fabisch (8017)
FABISCH LAW, L.L.C.
664 Pearl Street
Brockton, MA 02301
(Tel) 401-324-9344
(Fax) 401-354-7883

¹ Counsel called opposing counsel on 5/21 and 5/22 2015 but was not able to speak with him as he was out of the office.

Email: Fabisch@Fabischlaw.com

MEMORANDUM OF LAW IN SUPPORT

As good cause has been shown for the extension of time requested herein, the time for Plaintiff to file its Motion for Summary Judgment should be extended until on or before June 1, 2015. See Fed.R.Civ.P. 6(b).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of May, 2015, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

Michael A. Ursillo mikeursillo@utrlaw.com,
gwendolynbruno@utrlaw.com